

IN THE UNITED STATES RECEIVING OFFICE

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| In re Application of: LUMB et al. |) | |
| |) | Group Art Unit: N/A |
| Serial No.: 10/576,674 |) | |
| |) | Examiner: N/A |
| Filed: April 21, 2006 |) | |
| |) | Conf. No. 4671 |
| Int. Filing date: November 23, 2004 |) | |
| Int. App. No.: PCT/US2004/039216 |) | |
| For: SELECTIVE NEUROPEPTIDE Y2 RECEPTOR AGONISTS | | |

Mail Stop PCT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Dear Commissioner:

A Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905) was mailed on August 5, 2008 for the above-referenced application, setting a 2-month shortened-statutory period for reply, i.e., up to October 5, 2008.

In response to the Notification, enclosed please find:

- [1] A copy of the Notification of Missing Requirements (Form PCT/DO/EO/905);
- [2] A copy of the executed Declaration of the inventors previously submitted at the International Stage in PCT/US2004/039216 pursuant to PCT Rule 4.17(iv) and 51bis.1(a)(iv) for purposes of the designation of the U.S.;
- [3] A Preliminary Amendment; and
- [4] A Petition for a 1-Month Extension of Time Under 37 CFR 1.136(a).

The Notification additionally requires payment of a \$130.00 surcharge for an alleged late submission of the Declaration. Applicants respectfully submit that because a Declaration was submitted during the international stage of PCT/US2004/039216 under PCT Rule

4.17(iv) and 51bis.1(a)(iv) for purposes of the designation of the U.S., no surcharge fee is believed to be required. Should Applicants' position be, in fact, incorrect, the Commissioner is authorized to charge any deficiency in the fees, or credit any overpayment of any fees paid, to our Deposit Account No. 04-1105, under Order No. 82896(303981).

Respectfully submitted,

Date: December 5, 2008

By: /Gabriel J. McCool/
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: December 5, 2008

Electronic Signature for Gabriel J. McCool: /Gabriel J. McCool/